

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA :
:
- v. - : **Protective Order**
:
MALEK MOHAMMAD BALOUCHZEHI, :
a/k/a "Malek Khan," :
:
Defendant. :
:
- - - - - x

Whereas the United States of America, Damian Williams, United States Attorney for the Southern District of New York, by and through Assistant United States Attorneys Kaylan E. Lasky and Elinor L. Tarlow, seeks an order restricting the dissemination of material produced pursuant to the Jencks Act and *Giglio v. United States*, 405 U.S. 150 (1972) ("3500 Material") in connection with the trial in this matter scheduled to begin May 8, 2023 ("Trial");

Whereas, based on: (i) information in the public filings to date related to the defendant Malek Mohammad Balouchzehi, a/k/a "Malek Khan," indicates that the 3500 Material will contain sensitive information regarding assistance to law enforcement by others, including undercover officers and confidential sources who continue to provide assistance in sensitive and ongoing international investigations; and (ii) the consent of the

defendant, by and through his attorney Marc L. Greenwald, Esq., the Court finds that there is good cause for the requested relief;

IT IS HEREBY ORDERED that the defendant and his defense team -- including but not limited to Mr. Greenwald, and any U.S.-based paralegals, investigators, and interpreters working for the defendant or Mr. Greenwald -- shall not transport or transmit any of the 3500 Material outside of the United States;

IT IS FURTHER ORDERED that the defendant and his defense team shall not show or disseminate any of the 3500 Material to anyone other than the defendant and U.S.-based paralegals, investigators, and interpreters working for Mr. Greenwald;

IT IS FURTHER ORDERED that the defendant shall not possess any of the 3500 Material, either before, during, or after the Trial, except when reviewing the 3500 Material in the presence of Mr. Greenwald or other U.S.-based attorneys, or U.S.-based paralegals, investigators, and interpreters working for Mr. Greenwald;

IT IS FURTHER ORDERED that the defendant and his defense team shall return to the Government, or destroy, all of the 3500 Material at the close of the Trial or when any appeals have become final; and

IT IS FURTHER ORDERED that defense counsel may seek authorization of the Court, with notice to the Government, to provide certain specified materials to persons whose access to such materials is otherwise prohibited by this Order, if it is determined by the Court that such access is necessary for the purpose of preparing the defense of the case.

SO ORDERED:

The Clerk of Court is directed to terminate Doc. #50.

HONORABLE JESSE M. FURMAN
United States District Court
Southern District of New York

March 31, 2023

Date